

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Horticulture Department - Sanction an amount of Rs.1.50 Lakhs to Sri S.Venkata Reddy, Senior Counsel and his two junior counsels to present the case on behalf of the Government before the Arbitral Tribunal in Arbitration Application Nos 49 & 50 of 2007 filed by M/s. BHC Agro (India) Pvt.Ltd. - Accorded - Issued.

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AGRICULTURE AND COOPERATION (HORTI.) DEPARTMENT

G.O.Rt.No.818

Dt: 04-7-2009.

Read the following:-

1. G.O.Rt.No. 608, A&C(Horti.) Dept., dt. 21.5.2008.
2. G.O.Rt.No. 820, A&C(Horti.) Dept., dt. 1.8.2008.
3. G.O.Rt.No.1275, A&C(Horti.)Dept. dt.18.10.2008.
4. Letter from Sri S.Venkat Reddy, Senior Counsel, dt.19.10.2008.
5. Govt. letter No. 15536/Horti./A2/2007, dt. 26.2.2009.
6. From Learned AG,High Court of AP.,Hyd. letter dt. 31.3.2009.

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ORDER:-

In the reference 1st read above, Government have appointed Sri S.Venkata Reddy, Senior Counsel as Legal Counsel and also appointed four Junior Advocates ie., Sri S.Subrahmanya Reddy, Sri S.Sriram Reddy, Sri Srinivas Reddy and Smt. T.Lakshmi, to assist Senior Counsel to present the case in Arbitration Applications No. 49 & 50 of 2007 on behalf of the Government before the Arbitral Tribunal, as per the usual terms and conditions applicable to such cases prescribed by the Government.

2. In the reference 2nd read above, Government have constituted the Negotiating Committee to decide the fee to be paid to the Senior Counsel and his four Junior Counsels. The Committee met on 7.7.2008 and proposed the maximum fee of Rs.5.00 Lakhs. In the reference 3rd read above, Government have fixed an amount of Rs.5.00 Lakhs towards payment of fee to Sri S.Venkata Reddy and also for arguments as and when the case comes up for hearing on behalf of the Government.

3. In the reference 4th read above, Sri S.Venkata Reddy, Senior Counsel has stated that, he is not willing to appear for the Government in the said Arbitration cases on the terms and conditions specified in the said G.O. And also stated that, his juniors also will not appearing for the Government. Hence, he has requested the Government to pay an amount of Rs.3,00,000/- ie., Rs.1,00,000/- for his elaborate opinion and spent a lot of time for studying the report and discussing the matter with his juniors and Government officials + Rs.1,00,000/- for attending the two appearances before the Arbitral Tribunal + Rs.80,000/-for two appearances of the Juniors Counsels + Rs. 20,000/- for the clerkage.

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4. In the reference 5th read above, the Learned Advocate-General, High Court of AP., Hyderabad, who was consulted in the matter, has pinioned that, the fee claimed by Sri S.Venkata Reddy, is quite reasonable and since he has agreed to reduce the fee by Rs.50.000/- after negotiating with him and paid the same at an early date.

5. Government after careful examination of the entire matter, hereby accord sanction for an amount of Rs.1.50 Lakhs (Rupees One Lakh and Fifty Thousand only) to Sri S.Venkata Reddy, Senior Counsel and his two junior Counsels towards the fee for the hearings attended by them before the Arbitral Tribunal in the Arbitration Application Nos. 49 & 50 of 2007. Further, Government have not accepted the request for sanction of Rs.1.00 Lakh for elaborate opinion given by the senior counsel, as the same is not desired by the Government.

6. The Commissioner of Horticulture, Andhra Pradesh, Hyderabad, is requested to draw and pay the amount of Rs.1,50,000/- to Sri S.Venkata Reddy, Senior Counsel from the available funds of AP Micro Irrigation Project and send compliance report to Government, immediately.

7. This order issues with the concurrence of Finance (Exp.A&C) Department, vide their U.O.No. 2519/PFS/09, dt. 5.6.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAR DWIVEDI,
APC & PRL.SECRETARY TO GOVT.

To
The Commissioner of Horticulture, Andhra Pradesh, Hyderabad.
Sri S.Venkata Reddy, Senior Counsel, Ashok nagar, Hyderabad.
Sri S.Srinivas Reddy, Junior Counsel, Ashok nagar, Hyderabad.
Smt.Lakshmi, Junior Counsel, Ashok Nagar, Hyderabad.
The Pay and Accounts Officer, Andhra Pradesh., Hyderabad.
The District Treasury Officer, Andhra Pradesh, Hyderabad.
The P.S. to APC & Prl. Secy. to Govt., ATM.
The P.S. to M(Agri. & Horti.)
The Finance (Exp.A&C) Department.
SC/SF.

//FORWARDED BY ORDER//

SECTION OFFICER